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 Counsel for the Debtors

E-filed: June 16, 2011

UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA

In re:)	CASE NO. BK-N-10-54234-gwz
)	Chapter 12
JAMES WEST, aka JIM WEST, and)	
CARLEEN J. WEST, dba SWEET WATER)	MOTION FOR ORDER SHORTENING
RANCH,)	TIME TO HEAR DEBTORS' FIRST
)	AMENDED CHAPTER 12 PLAN AND
)	VALUATION MOTION
)	
)	Hearing Date: July 7, 2011
)	Hearing Time: 2:00 p.m.
Debtors-in-possession)	Estimated time: 5 minutes
	/	

Debtors, James West and Carleen J. West, by counsel, White Law Chartered, John White, Esq., hereby moves for an order shortening time for hearing the Debtors' First Amended Chapter 12 Plan and Valuation Motion, filed herein on June 15, 2011 (Docket # 67).

The Debtors' Chapter 12 Plan was filed on February 24, 2011. The confirmation Hearing on Debtors' Chapter 12 Plan was set for hearing on April 11, 2011 and was later re-scheduled for July 7, 2011 at 2:00 p.m. The major creditors herein, namely: Tri-State Livestock Credit Corp. ("Tri-State"), the Nevada State Bank ("NSB"), Farm Credit Leasing Services Corp. ("Farm Credit"), Wells Fargo Equipment Finance ("WFEF"), and Wells Fargo Bank, N.A. ("WFB"), by and through their respective counsel of record or authorized representatives, as applicable, are in the process of reaching an agreement to the terms of the First Amended

Chapter 12 Plan.

The plan was timely filed and served within the required 21 day notice of a Chapter 12 plan confirmation hearing (Bankr.R.Civ.P. 2002(a)(8)). However, LR 9014, requires 28 days notice of a Motion hearing, and the Plan is, in effect, a motion for approval of the Plan and a fixing of values. Local Rule 9006 permits reduction in the notice period and provide that notice may be reduced for cause shown.

A copy of the required Attorney Information Sheet is attached hereto as Exhibit 1, showing that the major parties herein who responded prior to this Motion being filed consent to the shortened time so that the Plan may be heard at the currently scheduled July 7, 2 p.m. date and time. None objected.

It is respectfully submitted that cause exists for shortening time:

1. The plan is timely filed and noticed under Fed.R.Bankr.P 2002(a)(8).
2. The July 7 hearing date has been known to all major parties since it was set on April 6, 2011 (Docket # 56).
3. On June 9, 2011 (docket 64), this Court approved a stipulation between all the significant parties hereto wherein they indicated that that were in negotiations, that the plan was to be heard on July 7 at 2 pm. In the event negotiations should fail, the time to object was extended to July 1, 2011. Thus, if this Motion is granted, creditors will still have 22 days to file any objections, well in excess of the 14 days normally required by the local rules.
4. There are several significant creditors in this case with whom negotiations continued through June 15, 2011 and it now appears that the plan will likely be consensual. It was better to delay filing the plan until these negotiations could be concluded.

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A copy of the proposed order shortening time is attached hereto as Exhibit 2.

Dated: June 16, 2011.

WHITE LAW CHARTERED

By: 

John White, Esq.

Attorneys for the Debtors

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CERTIFICATE OF SERVICE

I hereby certify under penalties and pain of perjury that I am an employee of White Law Chartered and that on the date shown below, I served a true and correct copy of the MOTION FOR ORDER SHORTENING TIME TO HEAR DEBTORS' FIRST AMENDED CHAPTER 12 PLAN AND VALUATION MOTION, to the following parties:

☒ a. Via ECF System on June 16, 2011 to:

Louis M. Bubala, III, on behalf of Creditor Farm Credit Leasing Services Corporation - lbubala@armstrongteasedale.com, bsalinas@armstrongteasedale.com

M. Nelson Enmark - nenmark.trustee@gmail.com

Brian R. Irvine on behalf of Creditor, Tri-State Livestock Credit Corporation at birvine@jonesvargas.com, l-b@jonesvargas.com

Gayle A. Kern on behalf of Creditor Wells Fargo Bank N.A. at gakltd@kernltd.com, christinelamia@kernltd.com; Kaitlyn A. Miller at kaitlynmiller@kernltd.com

Scott F. Gilles, Esq. - bankruptcy@renolaw.com,

Stefanie T. Sharp on behalf of Creditor Nevada State Bank - ssharp@rbslattys.com, hdericco@rbslattys.com

Amy N. Tirre on behalf of Creditor Tri-State Livestock Credit Corp - amy@amytirrelaw.com, admin@amytireelaw.com

U.S. Trustee - RN - 11 USTPRegion17.RE.ECF@usdoj.gov

☒ b. Via First Class U.S. Mail on June 16, 2011, postage pre-paid and addressed to:

Wells Fargo Equipment Finance, Inc.

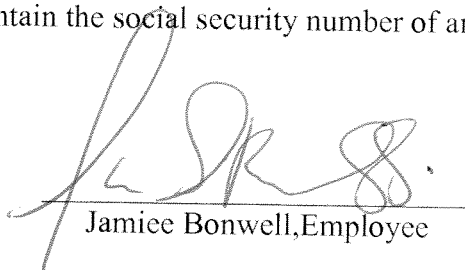
Attention: Melissa Harris

1540 W. Fountainhead Pkwy

Tempe, AZ 85282-1839

The undersigned further affirms that the foregoing is true and correct to the best of my knowledge and that preceding document does not contain the social security number of any person.

Dated: June 16, 2011.


Jamiee Bonwell, Employee